GOVERNMENT OF INDIA
INFORMATION AND BROADCASTING
LOK SABHA

STARRED QUESTION NO:487
ANSWERED ON:24.04.2003
CONTROL ON CABLE OPERATORS BY STATE GOVERNMENTS
NIVEDITA MANE;SADASHIVRAO DADOBA MANDLIK

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether some of the State Governments have urged the Union Government to empower them to have control on the Cable Operators in their States:

(b) whether the Union Government have taken a decision in this regard; and

(c) if so, the details thereof?

Answer

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI RAVI SHANKAR PRASAD)

(a) to (c): A statement is laid on the Table of the House.

STATEMENTREFERRED TO IN REPLY TO PARTS (a) to (c) OF THELOK SABHA STARRED QUESTION NO. 487 FC 24.4.2003.

(a) to (c): Suggestions for better enforcement of various provisions of Cable Television Networks (Regulation) Act, 1995 have been received from some states. Under the Cable Television Networks (Regulation) Act, 1995 officers of StateGovernments have been empowered to take action against the erring cable operators under the various provisions of the Act.

`As per section 2 (a) of the Cable Television Networks (Regulation) Act, 1995`authorised officers` means, within his local limits of jurisdiction:-

(i) a District Magistrate; or

(ii) a Sub-Divisional magistrate; or

(iii) a Commissioner of Police.

And includes any other officer notified in the Official Gazette, by the CentralGovernment or the State Government, to be an authorised officer for such local limits of jurisdiction as may be determined by that Government;

Under the section 11(1) of the above Act if any authorised officer has reason to believe that the provisions of section 3 (regarding registration), section 4A (regarding transmission/retransmission of pay channels through an addressable system after 14.07.2003), section5 (Programme code), section 6 (Advertisement Code), section 8 (mandatory carriage of Doordarshan channels) have been or are being contravened by any cable operator, he may seize the equipment being used by such cable operator for operating the cable television network.

Under section 19 of the above Act where `any authorised officer` thinks it necessary or expedient so to do in public interest, he may, by order, prohibit any cable operator from transmitting or re-transmitting any programme or channel if, it is not in conformity with the prescribed programme code referred to in section 5 and advertisement code referred to in section 6 or if it is` likely to promote, on grounds of religion, race, language caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill-will between different religious, racial, linguistic or regional groups or castes or communities or which is likely to disturb the public tranquility.`